

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:18-cv-00876-EGS**

FEDERATION FOR AMERICAN IMMIGRATION REFORM  
 ("FAIR") v. U.S. CITIZENSHIP AND IMMIGRATION  
 SERVICES

Assigned to: Judge Emmet G. Sullivan  
 Cause: 05:552 Freedom of Information Act

Date Filed: 04/13/2018

Jury Demand: None

Nature of Suit: 895 Freedom of  
 Information Act

Jurisdiction: U.S. Government Defendant

**Plaintiff**

**FEDERATION FOR AMERICAN  
 IMMIGRATION REFORM ("FAIR")**

represented by **Ralph L. Casale**  
 IMMIGRATION REFORM LAW  
 INSTITUTE  
 25 Massachusetts Avenue, NW  
 Suite 335  
 Washington, DC 20001  
 (202) 232-5590  
 Email: [rcasale@irli.org](mailto:rcasale@irli.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Julie B. Axelrod**  
 CENTER FOR IMMIGRATION  
 STUDIES  
 1629 K Street, NW  
 Suite 600  
 Washington, DC 20006  
 (703) 888-2442  
 Fax: (202) 466-8076  
 Email: [jba@cis.org](mailto:jba@cis.org)  
**TERMINATED: 06/08/2018**

**Sarah Rose Rehberg**  
 IMMIGRATION REFORM LAW  
 INSTITUTE  
 25 Massachusetts Avenue, NW  
 Suite 335  
 Washington, DC 20001  
 (202) 232-5590  
 Email: [srehberg@irli.org](mailto:srehberg@irli.org)  
**TERMINATED: 10/30/2018**

V.

**Defendant**

**U.S. CITIZENSHIP AND  
 IMMIGRATION SERVICES**

represented by **William Mark Nebeker**  
 U.S. ATTORNEY'S OFFICE FOR THE  
 DISTRICT OF COLUMBIA  
 555 Fourth Street, NW  
 Washington, DC 20530  
 (202) 252-2536  
 Fax: (202) 252-2599  
 Email: [mark.nebeker@usdoj.gov](mailto:mark.nebeker@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
------------	---	-------------

04/13/2018	<u>1</u>	COMPLAINT against U.S. CITIZENSHIP AND IMMIGRATION SERVICES ( Filing fee \$ 400 receipt number 0090-5422747) filed by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Attorney General, # <u>3</u> Summons Defendant, # <u>4</u> Summons US Attorney)(Axelrod, Julie) (Attachment 1 replaced on 4/16/2018) (zmd). (Entered: 04/13/2018)
04/13/2018		Case Assigned to Judge Emmet G. Sullivan. (zmd) (Entered: 04/16/2018)
04/16/2018	<u>2</u>	SUMMONS (3) Issued Electronically as to U.S. CITIZENSHIP AND IMMIGRATION SERVICES, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 04/16/2018)
04/17/2018	<u>3</u>	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 4/17/18. (Attachment: # <u>1</u> Exhibit 1) (mac) (Entered: 04/17/2018)
05/15/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/30/2018. Answer due for ALL FEDERAL DEFENDANTS by 5/30/2018. (Axelrod, Julie) (Entered: 05/15/2018)
05/15/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 04/30/2018. (Axelrod, Julie) (Entered: 05/15/2018)
05/15/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. CITIZENSHIP AND IMMIGRATION SERVICES served on 4/14/2018 (Axelrod, Julie) (Entered: 05/15/2018)
05/29/2018	<u>7</u>	NOTICE of Appearance by Sarah Rose Rehberg on behalf of FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR") (Rehberg, Sarah) (Entered: 05/29/2018)
05/30/2018	<u>8</u>	ANSWER to Complaint by U.S. CITIZENSHIP AND IMMIGRATION SERVICES.(Nebeker, William) (Entered: 05/30/2018)
06/08/2018	<u>9</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). Attorney Julie B. Axelrod terminated. (Axelrod, Julie) (Entered: 06/08/2018)
06/12/2018		MINUTE ORDER. Plaintiff brings this action pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. 552. The parties are directed to meet and confer and propose a joint scheduling order for further proceedings in this case by no later than July 12, 2018. The parties' joint proposed scheduling order shall address the following: (1) The status of plaintiff's FOIA request; (2) The anticipated number of documents responsive to plaintiff's FOIA request; (3) The anticipated date(s) for release of documents responsive to plaintiff's FOIA request; (4) Whether a motion for an Open America stay is likely in this case; (5) Whether a Vaughn index will be required in this case; (6) Whether this case would benefit from referral to a magistrate judge or the District Court Mediation Program for purposes of settlement; and (7) A proposed briefing schedule for dispositive motions, if applicable. If the parties are unable to agree on a joint recommendation, the joint proposed scheduling order shall include each party's individual recommendations. Signed by Judge Emmet G. Sullivan on 6/12/2018. (lcegs3) (Entered: 06/12/2018)
06/13/2018		Set/Reset Deadlines: Joint Proposed Scheduling Order due by 7/12/2018. (mac) (Entered: 06/13/2018)
07/10/2018	<u>10</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). (Attachments: # <u>1</u> Text of Proposed Order)(Rehberg, Sarah) (Entered: 07/10/2018)
08/02/2018		MINUTE ORDER in view of <u>10</u> joint status report, the parties are directed to file another joint status report updating the Court and providing recommendations for further proceedings by no later than October 1, 2018. Signed by Judge Emmet G.

		Sullivan on 8/2/2018. (lcegs3) (Entered: 08/02/2018)
08/02/2018		Set/Reset Deadlines: Joint Status Report due by 10/1/2018. (mac) (Entered: 08/02/2018)
09/11/2018	<u>11</u>	NOTICE of Appearance by Ralph L. Casale on behalf of FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR") (Casale, Ralph) (Entered: 09/11/2018)
10/01/2018	<u>12</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). (Attachments: # <u>1</u> Text of Proposed Order)(Casale, Ralph) (Entered: 10/01/2018)
10/03/2018		MINUTE ORDER in view of <u>12</u> joint status report, the parties are directed to file another status report updating the Court and providing recommendations for further proceedings by no later than November 1, 2018. Signed by Judge Emmet G. Sullivan on 10/3/2018. (lcegs3) (Entered: 10/03/2018)
10/03/2018		Set/Reset Deadlines: Status Report due by 11/1/2018 (mac) (Entered: 10/03/2018)
10/30/2018	<u>13</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). Attorney Sarah Rose Rehberg terminated. (Rehberg, Sarah) (Entered: 10/30/2018)
11/01/2018	<u>14</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). (Attachments: # <u>1</u> Text of Proposed Order)(Casale, Ralph) (Entered: 11/01/2018)
11/02/2018		MINUTE ORDER in view of <u>14</u> joint status report, the parties are directed to file another status report by no later than December 3, 2018. Signed by Judge Emmet G. Sullivan on 11/2/2018. (lcegs3) (Entered: 11/02/2018)
11/02/2018		Set/Reset Deadlines: Joint Status Report due by 12/3/2018. (mac) (Entered: 11/02/2018)
12/03/2018	<u>15</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). (Attachments: # <u>1</u> Text of Proposed Order)(Casale, Ralph) (Entered: 12/03/2018)
12/03/2018		MINUTE ORDER in view of <u>15</u> joint status report, the parties are directed to file another joint status report by no later than January 7, 2019. Signed by Judge Emmet G. Sullivan on 12/3/2018. (lcegs3) (Entered: 12/03/2018)
12/04/2018		Set/Reset Deadlines: Joint Status Report due by 1/7/2019. (mac) (Entered: 12/04/2018)
01/07/2019	<u>16</u>	Unopposed MOTION to Stay ( <i>Defendant's Unopposed Motion to Stay Proceedings in Light of Lapse in Appropriations</i> ) by U.S. CITIZENSHIP AND IMMIGRATION SERVICES (Nebeker, William) (Entered: 01/07/2019)
01/09/2019		MINUTE ORDER granting <u>16</u> unopposed motion to stay in light of lapse of appropriations. Defendants are directed to notify the Court when appropriations are restored or if a continuing resolution is enacted. Signed by Judge Emmet G. Sullivan on 1/9/2019. (lcegs3) (Entered: 01/09/2019)
01/29/2019	<u>17</u>	NOTICE OF RESTORED GOVERNMENT FUNDING by U.S. CITIZENSHIP AND IMMIGRATION SERVICES (Nebeker, William) (Entered: 01/29/2019)
02/04/2019		MINUTE ORDER. In view of <u>17</u> Notice of Restored Government Funding, the parties are directed to file a joint status report by no later than February 22, 2019, informing the Court of the status of plaintiff's FOIA requests and providing recommendations for further proceedings. Signed by Judge Emmet G. Sullivan on 2/4/2019. (lcegs3) (Entered: 02/04/2019)
02/05/2019		Set/Reset Deadlines: Joint Status Report due by 2/22/2019. (mac) (Entered: 02/05/2019)
02/22/2019	<u>18</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). (Attachments: # <u>1</u> Text of Proposed Order)(Casale, Ralph) (Entered: 02/22/2019)

02/22/2019		MINUTE ORDER. In view of the <u>18</u> Joint Status Report that states the parties have "engaged in settlement discussions[.]" the parties are directed to file another joint status report informing the Court whether further litigation will be necessary by no later than March 25, 2019. Signed by Judge Emmet G. Sullivan on 2/22/2019. (lcegs3) (Entered: 02/22/2019)
02/25/2019		Set/Reset Deadlines: Joint Status Report due by 3/25/2019. (mac) (Entered: 02/25/2019)
03/25/2019	<u>19</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). (Attachments: # <u>1</u> Text of Proposed Order)(Casale, Ralph) (Entered: 03/25/2019)
03/26/2019		MINUTE ORDER. In view of <u>19</u> Joint Status Report that states the parties have "engaged in settlement discussions[.]" the parties are directed to file another joint status report by no later than April 30, 2019. Signed by Judge Emmet G. Sullivan on 3/26/2019. (lcegs3) (Entered: 03/26/2019)
03/27/2019		Set/Reset Deadlines: Joint Status Report due by 4/30/2019. (mac) (Entered: 03/27/2019)
04/30/2019	<u>20</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). (Attachments: # <u>1</u> Text of Proposed Order)(Casale, Ralph) (Entered: 04/30/2019)
05/01/2019		MINUTE ORDER. In view of the <u>20</u> Joint Status Report, the parties are directed to file another joint status report by no later than May 30, 2019. Signed by Judge Emmet G. Sullivan on 5/1/2019. (lcegs3) (Entered: 05/01/2019)
05/02/2019		Set/Reset Deadlines: Joint Status Report due by 5/30/2019. (mac) (Entered: 05/02/2019)
05/30/2019	<u>21</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). (Attachments: # <u>1</u> Text of Proposed Order)(Casale, Ralph) (Entered: 05/30/2019)
06/03/2019		MINUTE ORDER. In view of the <u>21</u> Joint Status Report, the parties are directed to file another joint status report by no later than July 2, 2019. Signed by Judge Emmet G. Sullivan on 6/3/2019. (lcegs3) (Entered: 06/03/2019)
06/03/2019		Set/Reset Deadlines: Joint Status Report due by 7/2/2019. (mac) (Entered: 06/03/2019)
07/02/2019	<u>22</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). (Attachments: # <u>1</u> Text of Proposed Order)(Casale, Ralph) (Entered: 07/02/2019)
08/01/2019		MINUTE ORDER. In view of the <u>22</u> Joint Status Report, the parties are directed to file another joint status report by no later than August 16, 2019. Signed by Judge Emmet G. Sullivan on 8/1/2019. (lcegs3) (Entered: 08/01/2019)
08/01/2019		Set/Reset Deadlines: Joint Status Report due by 8/16/2019. (mac) (Entered: 08/01/2019)
08/16/2019	<u>23</u>	Consent MOTION for Extension of Time to <i>File Joint Status Report</i> by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR") (Attachments: # <u>1</u> Text of Proposed Order)(Casale, Ralph) (Entered: 08/16/2019)
08/19/2019		MINUTE ORDER granting <u>23</u> Consent Motion for Extension of Time to File Joint Status Report. The parties are directed to file another joint status report by no later than August 26, 2019. Signed by Judge Emmet G. Sullivan on 8/19/2019. (lcegs3) (Entered: 08/19/2019)
08/19/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 8/26/2019. (zcdw) (Entered: 08/20/2019)
08/26/2019	<u>24</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). (Attachments: # <u>1</u> Text of Proposed Order)(Casale, Ralph) (Entered: 08/26/2019)

08/27/2019		MINUTE ORDER. In view of the <u>24</u> Joint Status Report, the parties are directed to file another joint status report by no later than September 26, 2019. Signed by Judge Emmet G. Sullivan on 8/27/2019. (lcegs3) (Entered: 08/27/2019)
08/28/2019		Set/Reset Deadlines: Joint Status Report due by 9/26/2019. (mac) (Entered: 08/28/2019)
09/26/2019	<u>25</u>	Joint STATUS REPORT by FEDERATION FOR AMERICAN IMMIGRATION REFORM ("FAIR"). (Attachments: # <u>1</u> Text of Proposed Order)(Casale, Ralph) (Entered: 09/26/2019)
09/27/2019		MINUTE ORDER. In view of the <u>25</u> Joint Status Report that states the parties intend to continue their settlement discussions as to the remaining issue of attorneys' fees and costs, the parties are directed to file another joint status report by no later than October 29, 2019. Signed by Judge Emmet G. Sullivan on 9/27/2019. (lcegs3) (Entered: 09/27/2019)
09/27/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 10/29/2019. (zcdw) (Entered: 09/27/2019)
09/30/2019		Set/Reset Deadlines: Joint Status Report due by 10/29/2019 (mac) (Entered: 09/30/2019)